
Introduced by Senator Kopp

December 2, 1996

An act to amend Sections 554 and 555.3 of the Penal Code, relating to trespass.

LEGISLATIVE COUNSEL'S DIGEST

SB 4, as introduced, Kopp. Trespass: punishment.

Existing law makes it a misdemeanor to trespass upon or to loiter near specified properties that have been posted against trespassing and loitering.

This bill would make this offense a felony and would include a bridge or bridge tower among those specified properties. By increasing the punishment for existing crimes, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 554 of the Penal Code is
2 amended to read:
3 554. Any property, except that portion of ~~such~~ *the*
4 property to which the general public is accorded access,



1 may be posted against trespassing and loitering in the
2 manner provided in Section 554.1, and thereby become
3 posted property subject to the provisions of this article
4 applicable to posted property, if ~~such~~ *the* property
5 consists of, or is used, or is designed to be used, for any one
6 or more of the following:

7 (a) An oil well, oilfield, tank farm, refinery,
8 compressor plant, absorption plant, bulk plant, marine
9 terminal, pipeline, pipeline pumping station, or
10 reservoir, or any other plant, structure, or works, used for
11 the production, extraction, treatment, handling, storage,
12 or transportation, of oil, gas, gasoline, petroleum, or any
13 product or products thereof.

14 (b) A gas plant, gas storage station, gas meter, gas
15 valve, or regulator station, gas odorant station, gas
16 pipeline, or appurtenances, or any other property used in
17 the transmission or distribution of gas.

18 (c) A reservoir, dam, generating plant, receiving
19 station, distributing station, transformer, transmission
20 line, or any appurtenances, used for the storage of water
21 for the generation of hydroelectric power, or for the
22 generation of electricity by water or steam or by any
23 other apparatus or method suitable for the generation of
24 electricity, or for the handling, transmission, reception, or
25 distribution of electric energy.

26 (d) Plant, structures or facilities used for or in
27 connection with the rendering of telephone or telegraph
28 service or for radio or television broadcasting.

29 (e) A water well, dam, reservoir, pumping plant,
30 aqueduct, canal, tunnel, siphon, conduit, or any other
31 structure, facility, or conductor for producing, storing,
32 diverting, conserving, treating, or conveying water.

33 (f) The production, storage, or manufacture of
34 munitions, dynamite, black blasting powder, gunpowder,
35 or other explosives.

36 (g) A railroad right-of-way, railroad bridge, railroad
37 tunnel, railroad shop, railroad yard, or other railroad
38 facility.

39 (h) A plant and facility for the collection, pumping,
40 transmission, treatment, outfall, and disposal of sanitary



1 sewerage or storm and waste water, including a water
2 pollution or quality control facility.

3 (i) A quarry used for the purpose of extracting surface
4 or subsurface material or where explosives are stored or
5 used for that purpose.

6 (j) *A bridge or bridge tower.*

7 SEC. 2. Section 555.3 of the Penal Code is amended to
8 read:

9 555.3. Violation of any of the provisions of this article
10 is a ~~misdemeanor~~ *felony*.

11 SEC. 3. No reimbursement is required by this act
12 pursuant to Section 6 of Article XIII B of the California
13 Constitution because the only costs that may be incurred
14 by a local agency or school district will be incurred
15 because this act creates a new crime or infraction,
16 eliminates a crime or infraction, or changes the penalty
17 for a crime or infraction, within the meaning of Section
18 17556 of the Government Code, or changes the definition
19 of a crime within the meaning of Section 6 of Article
20 XIII B of the California Constitution.

21 Notwithstanding Section 17580 of the Government
22 Code, unless otherwise specified, the provisions of this act
23 shall become operative on the same date that the act
24 takes effect pursuant to the California Constitution.

